IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE V.V.S.RAO
WRIT PETITION NO : 26065 of 2003

Between:
V.Penchala Reddy, S/o.V. Ajaratha Reddy,
Vice-President, Bayanapalle.
Kondapeta Gram Panchayat, Chennur Mandal, Kadapa Dist.
..... PETITIONER

AND

1 The Revenue Divisional Officer, Cuddapah, Cuddapah District.
2 The Dist.Level Committee for Sand transport, rep.by its Chairman, Zilla Parishad, Kadapa, Kadapa Dist.
3 The Government of A.P., rep.by its District Collector, Kadapa, Kadapa Dist.
4 The District Panchayat Officer, Zilla Parishad, Kadapa, Kadapa Dist.
5 The Mandal Revenue Officer, Chennuru, Kadapa Dist.
6 Levak Venkateswara Reddy, S/o.Chinna Subba Reddy, Balasingayanapalli Village, Chennuru Mandal, Kadapa Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or another appropriate writ or order directing the respondents 1 to 5 to see that no sand is quarried and transported by the 6th respondent within the area falling between the old and new bridges across the River Penna as per the conditions stipulated in the notification, dated 1-4-2000 issued by the Collector as the Chairman of the District Level Committee, Kadapa.

Counsel for the Petitioner:MR.N.PARAMESWARA REDDY

Counsel for the Respondent Nos.1 to 5: GP FOR PANCHAYAT RAJ & RURAL DEV.

Counsel for the Respondent No.6: ---

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.26065 OF 2003

ORDER:

The Upa-Sarpanch of Bayanapalle, Kondapeta Gram Panchayat in Chennur Mandal, Kadapa District, filed the present Writ Petition seeking a Writ of Mandamus directing respondents 1 to 5 to take steps prohibiting sixth respondent from quarrying sand within the area falling between the old and new bridges across the river Penna as per the conditions stipulated in the notification dt.1.4.2000 issued by the Collector. By the said Notification the Collector invited participation in the short tender-cum-auction notice for leasing out right to collect seignorage fee from the contractors transporting sand from various reaches for a period of one year.

The Writ Petition was admitted by this Court on 16.12.2003. This Court by order of even date made in W.P.M.P.No.32944 of 2003 recorded the submission of the learned Additional Advocate General to the effect that no lessee is permitted to lift the sand near the bridge across Penna River at Kondapeta. The lease itself is for a period of one year. Therefore, nothing survives in the Writ Petition.

The Writ Petition is accordingly dismissed as infructuous. No costs.

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(V.V.S.RAO, J)

8.9.2004

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To

1 The Revenue Divisional Officer, Cuddapah, Cuddapah District.
2 The Dist.Level Committee for Sand transport, rep.by its Chairman, Zilla Parishad, Kadapa, Kadapa Dist.
3 The Government of A.P., rep.by its District Collector, Kadapa, Kadapa Dist.
4 The District Panchayat Officer, Zilla Parishad, Kadapa, Kadapa Dist.
5 The Mandal Revenue Officer, Chennuru, Kadapa Dist.
6 2CCs to G.P. for Panchayat Raj & Rural Development High Court Buildings, Hyderabad (OUT)
7 2CD copies